

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Brian and Lynelle R. Nowakowski : Bankruptcy Case No. 20-10139-TPA
Debtor(s) : Chapter 13

PLAN CONFIRMATION ORDER

AND NOW, this **12th** of **January, 2022**, it is hereby **ORDERED, ADJUDGED and DECREED**, with the consent of all the Parties in attendance, as follows:

A The Chapter 13 Plan dated **December 1, 2021**, except as modified herein as numbered, below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court.

1. The secured claim(s) of the following Creditor(s), including all allowed post-petition payment changes filed prior to this Confirmation Order, shall govern: **M&T Bank Cl.#17**. (B14)

2. The secured claim(s) of the following Creditor(s) shall govern as to claim amount and are to be paid at the modified interest rate of **6%**, in a monthly amount determined by Trustee, as payment in full: **PSECU Cl. 7-2**. (B11)

3. Attorney's fees shall be paid upon the basis of a retainer having been paid in the amount of **\$100**. (B16)

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. **Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. **Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. **Review of Claims Docket and Objections to Claims.** Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

4. **Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

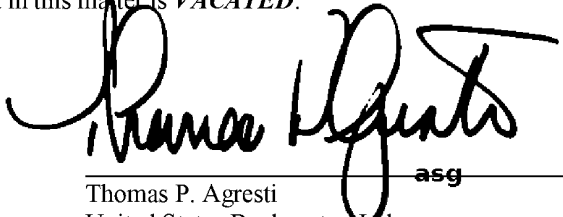
5. **Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s)

as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
6. Debtor(s) shall file an Amended Schedule I and/or J in the event of:
 - (a) Household income increases by 10% or more over most the recently filed Schedule I, because of new employment, promotion, or otherwise.
 - (b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or a 10% or more reduction of any line item expense on Schedule J.
 - (c) Any indicated increase in disposable income as a result of an increase in income or decrease in payroll withholding or Schedule J expense (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation, decrease in expense, or increase in household income.
7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.
8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.
10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

11. Any prior Confirmation Order entered in this matter is *VACATED*.



Thomas P. Agresti
United States Bankruptcy Judge

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Brian Nowakowski
Lynelle R. Nowakowski
Debtors

Case No. 20-10139-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Jan 12, 2022

User: aala
Form ID: pdf900

Page 1 of 3
Total Noticed: 47

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 14, 2022:

Recip ID	Recipient Name and Address
db	+ Brian Nowakowski, 423 Lowery Road, Erie, PA 16511-1330
jdb	#+ Lynelle R. Nowakowski, 423 Lowery Road, Erie, PA 16511-1330
15203550	+ Auto Use, 45 Haverhill St, Andover, MA 01810-1499
15203551	+ Auto Use, Attn: Bankruptcy, 45 Haverhill St, Andover, MA 01810-1499
15203552	+ Capital One, Po Box 703, Wood Dale, IL 60191-0703
15203560	+ Collection Service Center, Inc., Pob 560, New Kensington, PA 15068-0560
15215081	+ FlexShopper, LLC, 901 Yamato Road, Suite 260, Boca Raton, FL 33431-4415
15203574	+ Mariner Finance, LLC, 8211 Town Center Dr, Nottingham, MD 21236-5904
15203575	+ Mariner Finance, LLC, Attn: Bankruptcy, 8211 Town Center Drive, Nottingham, MD 21236-5904
15203579	+ P S E C U, P.o. Box 1006, Harrisburg, PA 17108-1006
15236635	+ Penelec, 101 Crawford's Corner Rd Bldg #1, Suite 1-511, Holmdel NJ 07733-1976
15232205	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15229881	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

TOTAL: 13

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jan 12 2022 23:58:53	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15203555	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 12 2022 23:58:10	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15203553	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 12 2022 23:58:37	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281
15211015	Email/PDF: AIS.cocard.ebn@aisinfo.com	Jan 12 2022 23:58:51	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15204902	+ Email/Text: bankruptcy@capvs.com	Jan 13 2022 00:01:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
15203561	+ Email/Text: bankruptcy@firstenergycorp.com	Jan 13 2022 00:01:00	Collection Service Center, Inc., Attn: Bankruptcy, 839 5th Ave., New Kensington, PA 15068-6303
15203563	+ Email/Text: bankruptcy@sccompanies.com	Jan 13 2022 00:01:00	Country Door/Swiss Colony, Attn:Bankruptcy, 1112 Seventh Ave, Monroe, WI 53566-1364
15203562	+ Email/Text: bankruptcy@sccompanies.com	Jan 13 2022 00:01:00	Country Door/Swiss Colony, 1112 7th Ave, Monroe, WI 53566-1364
15203564	Email/Text: mrdiscen@discover.com	Jan 13 2022 00:00:00	Discover Financial, Pob 15316, Wilmington, DE 19850
15207189	Email/Text: mrdiscen@discover.com	Jan 13 2022 00:00:00	Discover Bank, Discover Products Inc, PO Box

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			3025, New Albany, OH 43054-3025
15203565	+ Email/Text: mrdiscen@discover.com	Jan 13 2022 00:00:00	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15203566	Email/Text: jill@ffcc.com	Jan 13 2022 00:00:00	First Federal Credit Control, 24700 Chagrin Blvd, Cleveland, OH 44122
15203567	Email/Text: jill@ffcc.com	Jan 13 2022 00:00:00	First Federal Credit Control, Attn: Bankruptcy, 24700 Chagrin Blvd, Ste 205, Cleveland, OH 44122
15203568	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Jan 13 2022 00:01:00	Genesis Bc/Celtic Bank, Po Box 4499, Beaverton, OR 97076-4499
15203569	+ Email/Text: GenesisFS@ebn.phinsolutions.com	Jan 13 2022 00:01:00	Genesis Bc/Celtic Bank, Attn: Bankruptcy, Po Box 4477, Beaverton, OR 97076-4401
15227652	Email/Text: JCAP_BNC_Notices@jcap.com	Jan 13 2022 00:01:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15203570	Email/Text: JCAP_BNC_Notices@jcap.com	Jan 13 2022 00:01:00	Jefferson Capital Systems, LLC, 16 Mcleland Rd, Saint Cloud, MN 56303
15203571	Email/Text: JCAP_BNC_Notices@jcap.com	Jan 13 2022 00:01:00	Jefferson Capital Systems, LLC, Attn: Bankruptcy, 16 Mcleland Road, Saint Cloud, MN 56303
15203559	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 12 2022 23:58:08	Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850
15203558	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 12 2022 23:58:10	Chase Card Services, Po Box 15369, Wilmington, DE 19850
15226947	+ Email/Text: RASEBN@raslg.com	Jan 13 2022 00:00:00	JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
15203573	Email/Text: camanagement@mtb.com	Jan 13 2022 00:01:00	M & T Bank, Attn: Bankruptcy, Po Box 844, Buffalo, NY 14240
15203572	Email/Text: camanagement@mtb.com	Jan 13 2022 00:01:00	M & T Bank, Po Box 900, Millsboro, DE 19966
15235620	Email/Text: camanagement@mtb.com	Jan 13 2022 00:01:00	M&T Bank, PO Box 840, Buffalo, NY 14240
15230914	+ Email/Text: bankruptcydpt@mcmcg.com	Jan 13 2022 00:01:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15203576	+ Email/Text: bankruptcy@sccompanies.com	Jan 13 2022 00:01:00	Midnight Velvet, 1112 7th Ave, Monroe, WI 53566-1364
15203577	+ Email/Text: bankruptcy@sccompanies.com	Jan 13 2022 00:01:00	Midnight Velvet, Attn: Bankruptcy, 1112 7th Avenue, Monroe, WI 53566-1364
15203580	+ Email/Text: bankruptcynotices@psecu.com	Jan 13 2022 00:01:00	P S E C U, Attention: Bankruptcy, Po Box 67013, Harrisburg, PA 17106-7013
15203581	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 12 2022 23:58:53	Portfolio Recovery, 120 Corporate Blvd Ste 100, Norfolk, VA 23502
15203582	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 12 2022 23:58:41	Portfolio Recovery, Attn: Bankruptcy, 120 Corporate Blvd, Norfolk, VA 23502
15222785	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jan 12 2022 23:58:53	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15224542	+ Email/Text: bankruptcynotices@psecu.com	Jan 13 2022 00:01:00	PSECU, PO BOX 67013, HARRISBURG, PA 17106-7013
15229461	Email/Text: bnc-quantum@quantum3group.com	Jan 13 2022 00:01:00	Quantum3 Group LLC as agent for, Genesis FS Card Services Inc, PO Box 788, Kirkland, WA 98083-0788
15203723	+ Email/PDF: gecsed@recoverycorp.com	Jan 12 2022 23:58:49	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA

District/off: 0315-1

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23541-1021

TOTAL: 34

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		M&T BANK
15203578		Mortgage
15203583		Vehicle loan
15203584		Vehicle loan
15203556	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15203557	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15203554	*+	Capital One, Po Box 30281, Salt Lake City, UT 84130-0281

TOTAL: 4 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 14, 2022

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 12, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor M&T BANK bnicholas@kmlawgroup.com
Kenneth M. Steinberg	on behalf of Joint Debtor Lynelle R. Nowakowski julie.steidl@steidl-steinberg.com kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Kenneth M. Steinberg	on behalf of Debtor Brian Nowakowski julie.steidl@steidl-steinberg.com kenny.steinberg@steidl-steinberg.com;cgoga@steidl-steinberg.com;jbarlow@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;r53037@notify.bestcase.com;rlager@steidl-steinberg.com;kmeyers@steidl-steinberg.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 5